

Message Text

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E.O. 11652: N/A

TAGS: CASC, MX TH

SUBJ: MEXICAN PENAL POLICIES

REF: BANGKOK 32857

1. MEXICAN PRACTICE PERMITS PRISONERS TO OBTAIN CREDIT AGAINST THEIR SENTENCES BY WORKING AT APPROVED (" COMMISSIONED ") JOBS IN THE PRISON, SUBJECT TO GOOD BEHAVIOR. CREDIT IS ACCRUED AT THE RATE OF ONE DAY OFF FOR EVERY TWO DAYS WORKED: THUS A PRISONER WHO WORKS FOR TWO DAYS IN CONSIDERED TO HAVE SERVED THREE DAYS FROM HIS SENTENCE INSTEAD OF TWO.

2. PRISONERS MAY BENEFIT BOTH FROM WORK CREDIT AND FROM PAROLE. UNDER MEXICAN LAW, A PRISONER MAY BECOME ELIGIBLE FOR PAROLE AFTER SERVING THREE FIFTHS OF HIS SENTENCE. EMBASSY UNDERSTANDS THAT THE EFFECT OF WORK CREDIT IS TO BRING FORWARD THE DATE OF ELIGIBILITY FOR PAROLE BY THE FULL AMOUNT OF WORK CREDIT, I.E. BY ONE DAY FOR EVERY TWO DAYS WORKED. EXAMPLE: A PRISONER WITH A TEN YEAR SENTENCE, WHO WITHOUT WORK CREDIT IS ELIGIBLE FOR PAROLE AFTER SERVING THREE-FIFTHS OF HIS SENTENCE, MAY IF HE WORKS THROUGH HIS WHOLE PERIOD IN PRISON BE ELIGIBLE FOR PAROLE IN FOUR YEARS INSTEAD SIX. AT THAT POINT HE HAS SERVED FOUR YEARS AND ACCUMULATED AN ADDITIONAL TWO YEARS OF WORK CREDIT TOTALING SIX.

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3. ADMINISTRATION OF THE PROGRAM VARIES FROM PRISON

TO PRISON. SOME PRISONS HAVE NO WORK PROGRAM;
OTHERS OFFER FIVE-DAY OR SIX-DAY WORK COMMISSIONS INSTEAD
OF FULL-TIME COMMISSIONS.

4. FYI: PRISONERS CHARGED WITH DRUG RELATED OFFENSES
ARE CURRENTLY NOT ELIGIBLE FOR PAROLE IN MEXICO, BUT
LEGISLATION IS UNDER CONSIDERATION TO ALLOW PAROLE FOR
DRUG OFFENDERS.

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